

Claim 1: A system for managing deployment of a plurality of distributed network infrastructure services, comprising:

a service management module operable to cause a network device to receive a first network infrastructure service module configuring the network device to perform a first dedicated network infrastructure function selected from a network security function, a quality of service function, and a network management function,

wherein the service management module additionally is operable to cause the network device to receive a second network infrastructure service module reconfiguring the network device to change from performing the first dedicated network infrastructure function to performing a second dedicated network infrastructure function different in function from the first dedicated network infrastructure function and selected from a network security function, a quality of service function, and a network management function.

None of the pending claims of the copending application recites subject matter that relates to interconnecting through a shared memory facility a plurality of network devices each configured to perform a dedicated network infrastructure function, and routing data packets between the network devices through the shared memory facility, as recited in claims 15 and 21 of the present application. However, the focus on the specific language of claim 21 during the telephone conference of September 12, 2005, together with the contemporaneous prosecution of the claims in the copending application, caused Mr. Garcia to surmise that the prosecution of the copending application might be relevant to the examination of the present application.

After the telephone conference on September 12, 2005, Mr. Garcia checked the file histories of the present application and the copending application to be sure that the copending application and all of the art cited therein had been called to Examiner Lane's attention. Based on a comparison of the file histories, Mr. Garcia realized that the copending application and certain prior art that had been cited in the copending application inadvertently had not been cited in the present application. In response to this realization, Mr. Garcia filed on September 14, 2005, an IDS listing art in the copending application that had not been cited in the present application and calling the Examiner's attention to the existence of the copending application (both by listing the corresponding U.S. Patent Application Publication

No. 2003/0069949, and by citing the copending application in a separate communication entitled "Related Application Disclosure Statement").

As explained above, the IDS of September 14, 2005, was filed in response to an oversight by Mr. Garcia. The IDS was not filed in response to the Examiner's request for prior art. Therefore, the Examiner's request in the final action dated January 31, 2005, for a discussion of the references with respect to the present claims does not apply.

In the Communication dated October 13, 2005, the Examiner has stated that:

In the event the IDS submission was not in response to the Examiner's request in the final action, the Examiner now requests a discussion of which, if any, independent claim limitations correspond to or are anticipated by prior art features found in the IDS documentation.

The prior references that were cited in the IDS dated September 14, 2005, have not been reviewed as to their relevance to the claims in the pending application. The prior art references have been called to the Examiner's attention in full compliance with 37 CFR §§ 1.56, 1.97, and 1.98. As evidenced by the initialed copies of the IDS forms contained in the IDS dated September 14, 2005, the Examiner has considered all of the prior art references that were cited in the IDS dated September 14, 2005, in accordance with 37 CFR § 1.97(c). After his thorough study of the prior art, the Examiner should either (1) reopen prosecution and issue an action under 37 CFR § 1.104 or 37 CFR § 1.113, or (2) proceed with the pending allowance of the present application. Applicant gladly will discuss the relevance of any prior art that the Examiner cites in support of an actual rejection of any of the pending claims, in accordance with either 37 CFR § 1.111 or 37 CFR § 1.113(c). Applicant, however, cannot respond to an open-ended request to discuss prior art that is not cited in support of an actual rejection of any of the claims in the present application. Moreover, it is self-evident that the prior art references themselves provide the most accurate description of their contents. Accordingly, an examination of the prior art references themselves, as already conducted by the Examiner, is the most reliable way to understand their actual contents.

If the Examiner has any additional questions regarding this matter, he is invited to call Mr. Garcia at any time.

Charge any excess fees or apply any credits to Deposit Account No. 08-2025.

Applicant : Lance W. Russell  
Serial No. : 09/971,135  
Filed : Oct. 4, 2001  
Page : 4 of 9

Attorney's Docket No.: 10012453-1  
Response dated Nov. 3, 2005  
Reply to Communication dated Oct. 13, 2005

Respectfully submitted,

Date: November 3, 2005



---

Edouard Garcia  
Reg. No. 38,461  
Telephone No.: (650) 289-0904

Please direct all correspondence to:

Hewlett-Packard Company  
Intellectual Property Administration  
Legal Department, M/S 35  
P.O. Box 272400  
Fort Collins, CO 80528-9599